

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION
www.flnb.uscourts.gov

In re:

Case No. 17-40185-KKS

CAMPBELLTON-GRACEVILLE HOSPITAL Chapter 11
CORPORATION,

Debtor.

**LIQUIDATING TRUSTEE'S OMNIBUS MOTION
TO COMPEL SUBPOENAED PARTIES TO PRODUCE
DOCUMENTS, AND FOR CONTEMPT AND SANCTIONS**

NOTICE TO SUBPOENAED THIRD PARTIES RECEIVING THIS MOTION

This omnibus motion seeks to compel third parties who were served with subpoenas from the Liquidating Trustee but have not yet produced responsive documents, obtained an extension in writing from the Liquidating Trustee, or objected to the subpoenas—to produce responsive documents and cooperate with the Liquidating Trustee in all respects with respect to such production within 14 days from the date of an Order granting this motion or be held in contempt and liable for sanctions.

Please carefully read this motion and the spreadsheet attached as Exhibit A, which sets forth the each of names of the third parties subject to this motion alphabetically, the address where each of the third parties were served, and the date each of the third parties was mailed a subpoena. If you are the subject of this motion and disagree with the relief sought, you must file a response within two business days prior to the hearing set by the Court on the motion or the Court may grant the relief requested in the motion.

Marshall Glade (the “**Liquidating Trustee**”), as Trustee of the Campbellton-Graceville Hospital Liquidating Trust (the “**Liquidating Trust**”), by his counsel and pursuant to Section 105 of the Bankruptcy Code, Bankruptcy Rule 9016 and Federal Rule 45, files this *Omnibus Motion to Compel Subpoenaed Parties to Produce*

Documents, and for Contempt and Sanctions (the “**Motion**”), and as good cause states:

Jurisdiction and Venue

1. The Court has jurisdiction over this Motion pursuant to 28 U.S.C. §§ 157 and 1334. Consideration of this Motion is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).

2. Venue in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

Background

3. The Debtor commenced its bankruptcy case on May 5, 2017 (the “**Petition Date**”), by filing a voluntary petition for relief under chapter 11 of the Bankruptcy Code.

4. On November 5, 2018, the Bankruptcy Court entered its Order (ECF No. 882) confirming the *Second Amended Joint Plan of Liquidation Pursuant to Chapter 11 of the Bankruptcy Code, Filed by the Debtor and the Official Committee of Unsecured Creditors* (the “**Plan**”) (ECF No. 812).

5. On January 14, 2019, the *Liquidating Trust Agreement* dated as of November 30, 2018 (ECF No. 914) (the “**Liquidating Trust Agreement**”) was filed.

6. Pursuant to the Plan and the Liquidating Trust Agreement, all property of the estate, including avoidance actions, causes of action, and litigation claims,

transferred to the Liquidating Trust, and the Liquidating Trustee has been empowered to take any and all actions to effectuate the purpose of the Trust (to liquidate the assets of the Liquidating Trust), including to liquidate such assets, exercise all powers vested in the Debtors, the Liquidating Trust, or the Liquidating Trustee, and to bring adversary proceedings against third parties.

Investigation of the Fraudulent Laboratory Program

7. The Liquidating Trustee and his professionals have undertaken diligent efforts to investigate the claims and causes of action of the Liquidating Trust estate and have uncovered fraudulent transfer and other claims arising out of the fraudulent laboratory billing scheme (the “**Laboratory Program**”) that was operated out of the Campbellton-Graceville Hospital (the “**Hospital**”).¹

8. The scope of the Laboratory Program is far-ranging, and as the Liquidating Trustee and his professionals continue to investigate new details and potential targets, including those across the United States who affirmatively

¹ The Debtor, since the case was commenced, and the Official Committee of Unsecured Creditors, since it was constituted, have been investigating the nature and extent of Laboratory Program. The Laboratory Program has also been the subject of a series of news investigations by CBS, which aired in multiple broadcasts in 2018 and 2019: (1) https://www.cbs.com/shows/cbs_this_morning/video/O0ik3AljI9pB1AMVAoNPH0O3F1Ljq8fb/florida-lab-uses-rural-hospitals-for-bigger-insurance-checks-whistleblower-says/; (2) https://www.cbs.com/shows/cbs_this_morning/video/fTMtnB61xlzJCslhH8JOP_VoNhMXyrbb/some-rural-hospitals-exploited-by-health-care-executives/; (3) https://www.cbs.com/shows/cbs_this_morning/video/o_XvtNY8flnxIw6g4KmOl40TgFA_yDmo/health-insurers-seek-to-reclaim-millions-lost-in-rural-hospital-billing-schemes/; and (4) <https://www.cbsnews.com/amp/news/critical-condition-the-crisis-of-rural-medical-care/>

participated in the scheme and those who were the financial beneficiaries of the scheme.

9. The Liquidating Trustee and his professionals have to date uncovered that the Hospital was paid more than \$130,000,000.00 from third-party payors as a result of claims fraudulently submitted through the Hospital under the Laboratory Program for laboratory testing, and that the Hospital then paid more than \$130,000,000.00 to laboratories and other third parties who were directly and indirectly involved with the billing scheme. In most instances, as far as the Liquidating Trustee and his professionals can tell, the laboratory testing was either not performed at all or performed by outside reference laboratories, the claims of which were ineligible for reimbursement in full or at the higher reimbursement rates paid as a result of the Hospital's status as a critical access hospital.

10. The Liquidating Trustee has settled his claims with three of the laboratories, but has identified more than 30 laboratories which were paid by the Hospital through the Laboratory Program and most of which have been sued in the first round of adversary proceedings.

11. Recently, the Liquidating Trustee has taken depositions of several key witnesses who were involved in the Laboratory Program, which have revealed additional details and potential claims and causes of action against third parties. The Liquidating Trustee intends to take additional discovery as part of his investigation

in order to uncover additional details of the Laboratory Program and claims and causes of action.

12. The Liquidating Trustee has also sent letters and subpoenas under Bankruptcy Rule 2004 (the “**Subpoenas**”) to 674 physicians and healthcare providers whose NPI numbers were used to bill for the lab tests through the Hospital, requesting information and documents regarding the possible monies they received and their involvement in the Laboratory Program, as well as certain additional information, including the names of any middlemen who solicited participants to the Laboratory Program.

13. Through the letters and subpoenas, the Liquidating Trustee anticipates receiving documents and information that may uncover additional details regarding the Laboratory Program and reveal additional claims and causes of action against other involved parties, which will be pursued in a second round—or even a third round—of adversary proceedings.

14. In addition, as the investigation proceeds and the Liquidating Trustee moves forward with litigation, the Liquidating Trustee and his professionals expect to uncover additional information about the Laboratory Program and additional

claims and causes of action against third parties who are not yet known to the Liquidating Trustee.²

Noncompliance with Subpoenas

15. Between February 11 and 18, 2019, the 672 Subpoenas were served³ via mail on third parties utilizing the addresses located on the National Provider Identifier (NPI) registry (<https://npiregistry.cms.hhs.gov/>), and required production of documents approximately 30 days thereafter, between March 13 and 18, 2019.⁴ The list of the third parties who were served is attached to the *Omnibus Notice of Rule 2004 Examination Duces Tecum* (ECF No. 975).

² Due to the nature of the Liquidating Trustee's investigation into the Laboratory Program, including the fact that additional details and claims and causes of action are uncovered over time, the Liquidating Trustee has filed an expedited motion (Doc. No. 980) seeking to extend the deadline to commence litigation actions, proceedings, and contested matters against presently unknown third parties beyond the deadline of Monday, May 6, 2019, under Sections 108 and 546 of the of the Bankruptcy Code. The Court has set an evidentiary hearing on the motion for April 17, 2019 (Doc. No. 981).

³ The Liquidating Trustee also served with each Subpoena a copy of the *Order Granting Liquidating Trustee's Expedited Ex Parte Motion for Entry of an Omnibus HIPAA Qualified Protective Order* (ECF No. 925).

⁴ The Liquidating Trustee served the Subpoenas by mail as a matter of efficiency due to the number of Subpoenas and the time constraints in this case, and the fact that service by mail is permissible under Bankruptcy Rule 9016 and Federal Rule 45. "[T]he requirement for 'delivery' under Rule 45 is satisfied so long as, 'service is made in a manner that reasonably insures actual receipt of the subpoena by the witness.'" *In re Falcon Air Express, Inc.*, 2008 WL 2038799, at *2 (Bankr. S.D. Fla. May 8, 2008)(citations omitted); *King v. Crown Plastering Corp.*, 170 F.R.D. 355, 356 (E.D. N.Y. 1997) (denying the motion to quash and holding that there is "no reason for requiring in hand delivery for subpoenas served under Rule 45, so long as service is made in a manner that reasonably insures actual receipt of the subpoena by the witness."); *Firefighters' Institute For Racial Equality v. City of St. Louis*, 220 F.3d 898, 903 (8th Cir. 2000) (holding that "[w]hen a non-party is served, the method of service needs to be one that will ensure the subpoena is placed in the actual possession or control of the person to be served.").

16. Since the Subpoenas were served, the Liquidating Trustee, through his counsel, has been diligently and actively responding in good faith to inquiries regarding the Subpoenas. The Liquidating Trustee's counsel has spoken to more than 290 third parties, received responsive documents and information from 36 third parties, agreed to extend the deadline to respond for 62 third parties, and received returned mail for 130 third parties.⁵

17. There are, however, a number of Subpoenas for which the Liquidating Trustee has not received any cooperation or documents and information from the receiving parties. There are 229 parties who have either not responded at all or have refused to provide responsive documents and information⁶ to the Subpoenas that were not returned as undelivered (the “**Nonresponding Parties**”). Attached as **Exhibit A** is a spreadsheet listing the Nonresponding Parties alphabetically, the addresses where the Subpoenas were mailed, and the dates that the Subpoenas were mailed. Attached as **Exhibit B** is an example of a cover letter that was served with each Subpoena. Attached as **Exhibit C** is an example of a Subpoena that was served on each of the Nonresponding Parties. The cover letters and Subpoenas that were served on the Nonresponding Parties are identical to the examples provided in

⁵ The Liquidating Trustee is attempting to find new contact information for the third parties whose Subpoenas were returned by cross referencing the addresses served against the addresses contained in the state medical licensing boards and through other sources.

⁶ These third parties have not served objections to the Subpoenas.

Exhibits B and C, except for (a) the dates, names, and contact information of and for the Nonresponding Parties in the letters and Subpoenas, (b) the NPI Numbers of the Nonresponding Parties in the letters, and (c) the service and the response deadlines in the Subpoenas (which were adjusted based upon the date of service).⁷

18. By failing to timely object to the subpoenas, the Liquidating Trustee asserts that the Nonresponding Parties have waived their right to object to enforcement of the Subpoenas. *See Fed. R. Civ. P. 45(d)(2)(B)*⁸; *McCabe v. Ernst &*

⁷ As of the time of the filing of this motion, there additional third parties who have served objections to the Liquidating Trustee in response to the Subpoenas. The Liquidating Trustee is analyzing these objections and seeking to resolve them, and if necessary, the Liquidating Trustee will file a separate motion seeking addressing these objections and seeking relief against the objecting subpoenaed parties. In certain situations, these subpoenaed parties have objected to the Subpoenas based on the request to produce the documents at counsel's office in Fort Lauderdale Florida, and in these instances, the Liquidating Trustee has provided three alternatives: (1) provide the documents through electronic means, (2) ship the documents using Liquidating Trustee's counsel's FedEx billing number; or, (3) agreeing to provide an alternate address to drop off the documents within 100 miles of the subpoenaed party.

⁸ Fed. R. Civ. P. 45(d)(2)(B) states:

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises--or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

Fed. R. Civ. P. 45(d)(2)(B).

Young, LLP, 221 F.R.D. 423, 426 (D. N.J. 2004) (holding that subpoenaed party who failed to object to subpoena waived right to object to enforcement of the subpoena).

19. The Subpoenas request documents and information, including electronically stored information, in the following categories related to the Laboratory Program: (a) monies paid to the subpoenaed party, (b) value given in exchange for such payment, (c) tests that were ordered using the subpoenaed party's NPI number and claims and databases used to submit tests, (d) relationships between the Debtor, a laboratory, and certain interested parties with respect to the Laboratory Program, (e) organizational documents of the subpoenaed party and affiliates, and (f) insurance policies that may provide coverage for a potential cause of action against the subpoenaed party and affiliates.

20. The documents requested by the Subpoenas are essential to the Liquidating Trustee's continuing investigation into the Laboratory Program and determining the viability of additional claims and causes of action against involved third parties.

Relief Requested

21. Accordingly, the Liquidating Trustee requests the entry of an Order (a) finding that the Nonresponding Parties have not timely objected to the Subpoenas and have waived their right to object to the enforcement of the Subpoenas, (b) compelling the Nonresponding Parties, within 14 days from the date of an Order

granting this motion, to produce the requested documents and information in the Subpoenas and to cooperate with the Liquidating Trustee in all respects with respect to such production, and (c) providing that if the Nonresponding Parties fail to do so, then the Nonresponding Parties may be held in contempt of Court and liable for sanctions, including monetary sanctions, such as, for example, the imposition of a fine in compensation for damages sustained as a result of their conduct.

22. The Liquidating Trustee hopes that the Nonresponding Parties reach out to his professionals to provide the responsive documents, and the Liquidating Trustee will continue to work with all of the Nonresponding Parties in an attempt to obtain the documents.

Basis for Relief

23. The Court has the authority to grant the relief requested.

24. Rule 9016 of the Federal Rules of Bankruptcy Procedure, adopts Rule 45 of the Federal Rules of Civil Procedure. Pursuant to Federal Rule 45(g), “[t]he court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena.” Fed. R. Civ. P. 45(g); *see Francois v. Blandford*, 2012 WL 777273, at *2 (E.D. La. Mar. 7, 2012) (holding a non-party in contempt of court for failing to comply with the subpoena served on him). Here, the

Nonresponding Parties have wholly failed to comply with their obligations under the Subpoenas

25. “In order to impose sanctions on a debtor this Court must find that the party seeking sanctions has proved, by clear and convincing evidence, that the debtor has violated an order of the court.” *In re Hamrick*, 551 B.R. 860, 862 (Bankr. N.D. Fla. 2016) (internal citation omitted). “Among the remedies available to the court in a civil contempt proceeding is the ability to impose a fine payable to the complainant in compensation for damages sustained as a result of the conduct.” *Id.* (internal citations omitted). Here, the Liquidating Trustee asserts that the Court can issue sanctions if the Nonresponding Parties fail to comply with an Order of the Court compelling production.

WHEREFORE, the Liquidating Trustee seeks the entry of an Order (a) finding that the Nonresponding Parties have waived their right to object to the enforcement of the Subpoenas, (b) compelling the Nonresponding Parties, within 14 days from the date of an Order granting this motion, to produce the requested documents and information in the Subpoenas and to cooperate with the Liquidating Trustee in all respects with respect to such production, (c) directing that if the Nonresponding Parties fail to do so, then the Nonresponding Parties may be held in contempt of Court and liable for sanctions, including monetary sanctions, such as,

for example, the imposition of a fine in compensation for damages sustained as a result of their conduct; and (d) for such other relief as is just and proper.

Dated: April 11, 2019

Respectfully submitted,

BERGER SINGERMAN LLP
Co-Counsel for Liquidating Trustee
313 North Monroe Street, Suite 301
Tallahassee, FL 32301
Tel. (850) 561-3010
Fax (850) 561-3013

NELSON MULLINS BROAD AND CASSEL
Co-Counsel for Liquidating Trustee
100 S.E. 3rd Avenue, Suite 2700
Ft. Lauderdale, FL 33394
Tel. (954) 764-7060
Fax (954) 761-8135

By: /s/Brian G Rich

Brian G Rich
Florida Bar No. 38229
brich@bergersingerman.com
Michael J. Niles
Florida Bar No. 107203
mniles@bergersingerman.com

By: /s/ Frank P. Terzo

Frank P. Terzo
Florida Bar No. 906263
frank.terzo@nelsonmullins.com
Gary M. Freedman
Florida Bar No. 72760
gary.freedman@nelsonmullins.com
Michael D. Lessne
Florida Bar No. 73881
michael.lessne@nelsonmullins.com

CERTIFICATE OF SERVICE

I hereby certify that on April 11, 2019, I electronically filed this motion with the clerk of the court using CM/ECF, which is serving the document (and all exhibits) via transmission of Notices of Electronic Filing to those counsel or parties who are authorized to receive such notices as reflected on the attached CM/ECF Service List. The Liquidating Trustee will serve by mail each of the Nonresponding Parties with true and correct copies of the motion and its exhibits, and the notice of hearing on the motion (once entered by the Court), and will file a separate certificate of service.

By: /s/Brian G Rich
Brian G Rich
Florida Bar No. 38229
brich@bergersingerman.com

CM/ECF SERVICE LIST

- Yussuf Abdel-aleem john.wisiackas@aleemlaw.com
- Philip Alan Bates pbates@philipbates.net,
swalton@philipbates.net;abridges@philipbates.net;dwatts@philipbates.net
- Russell M. Blain rblain.ecf@srbp.com, rblain@srbp.com
- Leyza F. Blanco lblanco@sequorlaw.com, jdiaz@sequorlaw.com
- Jason B. Burnett jason.burnett@gray-robinson.com, ken.jacobs@gray-robinson.com;kim.miller@gray-robinson.com
- Seldon J. Childers jchilders@smartbizlaw.com,
ellen.lord@smartbizlaw.com;jkirkconnell@smartbizlaw.com;documents@prodoxprep.com;childers@ecf.courtdrive.com
- William H. Crawford bkry@tcslawfirm.net,
william@tcslawfirm.net;sam@tcslawfirm.net
- Daniel Charles Curth danc@goldmclaw.com,
mattm@goldmclaw.com;haroldi@goldmclaw.com;seanw@goldmclaw.com
- Michael Patrick Dickey mdickey@barronredding.com,
creynolds@barronredding.com;chodges@barronredding.com
- Jodi Daniel Dubose jdubose@srbp.com,
lhathaway@srbp.com;jdubose.ecf@srbp.com
- Ashlea Ann Edwards ashlea.edwards@gray-robinson.com
- Jason H. Egan jason.h.egan@usdoj.gov
- Katherine Fackler katherine.fackler@akerman.com,
Jennifer.meehan@akerman.com;matthew.drawdy@akerman.com
- Gary M. Freedman gfreedman@broadandcassel.com
- Kathryn Michelle Jordan michelle@blankenshipjordanpa.com,
service@blankenshipjordanpa.com
- Matthew Ian Kramer mkramer@wwhgd.com, mesteva@wwhgd.com
- Michael D. Lessne Michael.lessne@nelsonmullins.com,
Jennifer.phillips@nelsonmullins.com;lisa.negron@nelsonmullins.com
- Pamela Marsh pmarsh@ausley.com, sshaffer@ausley.com
- Kenneth G. M. Mather kmather@gunster.com,
tkennedy@gunster.com;mweaver@gunster.com
- Courtney A. McCormick cmccormick@mcguirewoods.com,
flservice@mcguirewoods.com
- Ronald A. Mowrey rmowrey@mowreylaw.com, firm@mowreylaw.com
- Michael J Niles mniles@bergersingerman.com,
Charlee.loree@nelsonmullins.com

- Nicole Mariani Noel bankruptcynotices@kasslaw.com, nmnoel@ecf.courtdrive.com
- Geoffrey J. Peters gpeters@weltman.com, colnationalecf@weltman.com
- Brian G. Rich brich@bergersingerman.com, efile@bergersingerman.com;bwalter@bergersingerman.com;efile@ecf.inforupty.com
- JAMES D. SILVER jsilver@kelleykronenberg.com, raldama@kelleykronenberg.com
- Frank Paul Terzo frank.terzo@nelsonmullins.com, Jennifer.phillips@nelsonmullins.com;lisa.negron@nelsonmullins.com
- United States Trustee USTPRegion21.TL.ECF@usdoj.gov
- Adam M Walters awalters@walterslawpc.com
- Sarah St John Walton swalton@philipbates.net, pbates@philipbates.net;wwest@philipbates.net;abridges@philipbates.net
- Alan Weiss alan.weiss@hklaw.com, lynette.mattison@hklaw.com
- David Luther Woodward woodlaw@bellsouth.net, thetexasnole@bellsouth.net

EXHIBIT “A”

Physician LAST NAME alpha order	Physician first name	Address	City	State	Zip code	Date Subpoena served	Service list for Motion to Compel to be filed 04-11-19
Abe-Lathan,	Moboluwade	1 Medical Drive	Benson,	NC	27504-1177	2/15/2019	A
Adams,	Richard M.	1008 Paluxy Rd	Granbury	TX	76048-2397	2/15/2019	A
Aggarwal,	Rinkoo	13328 Shelbyville Rd	Louisville	KY	40223-3936	2/14/2019	A
Alim,	Tanya N.	2041 Georgia Avenue NW	Washington,	DC	20060-0001	2/15/2019	A
Allison,	Kimberly	600 N Hiatus Road, Suite 203	Pembroke Pines	FL	33026-5207	2/14/2019	A
Altobelli,	Eva	50 W Hawthorne Avenue	Valley Stream	NY	11580-6220	2/14/2019	A
Aminzadeh,	Arastou	239 S La Cienega Blvd., Suite 210	Beverly Hills	CA	90211-3328	2/11/2019	A
Antoine,	Robert	2501 N Commercial Blvd., Suite 211	Fort Lauderdale	FL	33308	2/11/2019	A
Antoine,	Robert	2501 N Commercial Blvd., Suite 211	Fort Lauderdale	FL	33308	2/11/2019	A
Arene,	Ifeoma N.	12828 Willow Ctr, Suite E	Houston	TX	77066-3043	2/14/2019	A
Aristorenas,	Wanda	1860 Wayne Road	Savannah	TN	38372-5148	2/14/2019	A
Armour,	Susan	6817 Southpoint Parkway 2402	Jacksonville	FL	32216-6282	2/14/2019	A
Armour,	Susan	6817 Southpoint Parkway 2402	Jacksonville	FL	32216-6282	2/14/2019	A
Arredondo,	Adam G.	128 N Highway 77	Waxahachie	TX	75165-1800	2/11/2019	A
Bailey,	Brenda D	1540 Appling Care Ln Ste 105	Cordova	TN	38016-4957	2/15/2019	A
Balke,	Len	143 N McCormick Street, Suite 103	Prescott	AZ	86301-2725	2/11/2019	C
Balke,	Len	143 N McCormick Street, Suite 103	Prescott	AZ	86301-2725	2/11/2019	C
Barnes,	Victor	472D Western Blvd.	Jacksonville	NC	28546-6824	2/14/2019	A
Barnes,	Norman A.	726 E Lamar Alexander Pkwy	Maryville	TN	37804-5004	2/15/2019	A
Barocas,	Morris A.	10810 Parkside Dr Ste G-15	Knoxville	TN	37934-1979	2/15/2019	A
Battista,	David R.	225 S Center Ave Room 433	Somerset	PA	15501-2033	2/14/2019	A
Beauchamp,	D'livro	4705 Woodmere Blvd.	Montgomery	AL	36106-3078	2/15/2019	A
Bell,	David A.	3931 Highway 78 W Ste B-100	Snellville	GA	30039-3907	2/15/2019	A
Berios,	Angelis	3931 Highway 78 W Ste B-100	Snellville	GA	30039-3907	2/15/2019	A
Berman,	Lawrence D	4535 Winters Chapel Rd Ste 100	Atlanta	GA	30360-2705	2/15/2019	A
Bernstein,	Jay G.	4136 N 75th Ave #116	Phoenix	AZ	85033-3100	2/15/2019	A
Bishara,	Michael	6896 Magnolia Avenue	Riverside	CA	92506-2843	2/11/2019	A
Bishara,	Michael	6896 Magnolia Avenue	Riverside	CA	92506-2843	2/11/2019	A
Boatwright,	Roger W.	1880 Kenneth Road, Suite 3	York	PA	17408-6344	2/14/2019	A
Bogrov,	Maira	Department of Psychiatry 2401 W Belvedere Ave	Baltimore	MD	21215-5216	2/11/2019	A
Bowenbrown,	Taisha	1 Medical Drive	Benson,	NC	27504-1177	2/15/2019	A
Boyer,	Michael F.	4 E Clark Bass Blvd., Suite # 205	McAlester	OK	74501-4285	2/14/2019	A
Brinkley,	Joseph C.	5645 Lafayette Road	Indianapolis,	IN,	46254-1011	2/15/2019	A
Brown,	Jack H.	401 East Broadway, Suite A	Sand Springs	OK	74063	2/15/2019	A
Bunyi,	Patrick P.	7307 N Main Street	Jacksonville	FL	32208-4123	2/14/2019	A
Burwell,	Joel B.	9344 Three Rivers Road	Gulfport,	MS	39503-4268	2/15/2019	A
Buzan,	Erik-Brandon C.	8520 E Shea Blvd., Ste 100	Scottsdale	AZ	85260-6677	2/14/2019	A
Campbell,	Avril	1520 Grays Highway	Ridgeland	SC	29936-5440	2/14/2019	A
Campbell,	Diane	808 Hadley Avenue	Old Hickory	TN	37138-3121	2/14/2019	A

Physician LAST NAME alpha order	Physician first name	Address	City	State	Zip code	Date Subpoena served	Service list for Motion to Compel to be filed 04-11-19
Chan,	Johol C	7210 McPherson Ave Suite 120	Laredo	TX	78041-6507	2/14/2019	A
Chidambaram,	Palaniappan	5251 NE Glisan St Bldg A, 2nd Floor	Portland	OR	97213	2/14/2019	A
Clark,	Jelunder W.	990 Bear Creek Blvd., Suite G	Hampton	GA	30228-1864	2/14/2019	A
Clark,	Yvonne Y.	1550 Yankee Park Pl., Ste A	Centerville,	OH	45458-1838	2/15/2019	A
Clement,	Kira	77 Starbrush Circle	Covington,	LA	70433-7209	2/15/2019	A
Cohen,	Howard M.	4004 Worth Street, Suite 300	Dallas	TX	75246-1607	2/14/2019	A
Collins,	Rodney	8484 Wilshire Blvd., Suite 200	Beverly Hills	CA	90211-3235	2/11/2019	A
Collins,	Rodney	8484 Wilshire Blvd., Suite 200	Beverly Hills	CA	90211-3235	2/11/2019	A
Copley,	Vallie J.	6613 N Meridian Avenue	Oklahoma City	OK	73116-1423	2/14/2019	A
Costello,	Lloyd	1902 Royalty Drive, Suite 130	Pomona	CA	91767-3030	2/15/2019	A
Cruz,	Francisco U.	721 E Atlantic Blvd.,	Pompano Beach	FL	33060-6345	2/11/2019	A
Cruz,	Francisco U.	721 E Atlantic Blvd.,	Pompano Beach	FL	33060-6345	2/11/2019	A
Dalehite-Stringfellow,	Julie E.	4958 Navy Road	Millington	TN	38053-2066	2/14/2019	A
Daley,	Andrew	17913 Bahama Isle Drive	Tampa	FL	33647-2777	2/15/2019	A
Davenport	Lana	2201 Lexington Avenue	Ashland	KY	41101-2843	2/14/2019	A
Davis,	Randy J.	2201 Lexington Avenue	Ashland	KY	41101-2843	2/14/2019	A
Davis,	William	5700 Lake Worth Road, Ste 204	Greenacres	FL	33463-4727	2/15/2019	A
Davis,	Jerry B.	5700 Lake Worth Road, Ste 204	Greenacres	FL	33463-4727	2/15/2019	A
Dawson,	Brandy A	5002 Crossings Circle, Suite 350	Mount Juliet	TN	37122-8471	2/14/2019	A
De Feria,	Armando	600 N Hiatus Road, Suite 203	Pembroke Pines	FL	33026	2/14/2019	C
Desanto,	Joseph	230 E 17th Street, Suite 200	Costa Mesa	CA	92627-3824	2/11/2019	C
Desanto,	Joseph	230 E 17th Street, Suite 200	Costa Mesa	CA	92627-3824	2/11/2019	C
Dickson,	Loretta	281 E Main Street	Forest City	NC	28043-3126	2/11/2019	A
Doonan,	Bryan	360 San Miguel Drive, Suite 107, Suite 307	Newport Beach	CA	92660-7815	2/15/2019	A
Doonan,	Bryan	360 San Miguel Drive, Suite 107, Suite 307	Newport Beach	CA	92660-7815	2/15/2019	A
Downes,	Kevin	2400 Eastpoint Park Blvd Ste 100	Louisville	KY	40223	2/14/2019	A
Duffy,	Karen B.	1210 Briarville Road Blding B	Madison,	TN	37115	2/15/2019	A
Edison,	Rhonda V.	145 N Curtis Ave	Pea Ridge	AR	72751-3407	2/14/2019	A
Ekwenchi,	Anthony U.	2329 Luther Terrace	Marietta	GA	30064-4285	2/15/2019	A
Elangwe,	Philip D	2420 Rogers Ave	Fort Smith	AR	72901-4164	2/14/2019	A
Fahmy,	Abdel	600 W Fulton Street, Suite 200	Chicago	IL	60661-1259	2/15/2019	A
Farmer,	Richard G.	1355 B Lynnfield Road, Suite 158	Memphis	TN	38119	2/15/2019	A
Fawibe,	Oladapo O.	811 13th Street, Suite 11	Augusta	GA	30901-2700	2/14/2019	A
Ferguson,	Carl E.	3049 E Mckellips Road, Suite # 5	Mesa	AZ	85213-3144	2/14/2019	A
Fitzgerald,	Thomas M.	903 Northeast Drive, Suite 300	Davidson,	NC	28036	2/14/2019	A
Fleszar,	Melissa A.	2198 US 31 S	Manistee	MI	49660-9618	2/15/2019	A
Fong,	Robert	300 S O'Connor Road	Irving	TX	75060-2951	2/14/2019	A
Ford,	Robert E.	2828 S Tamiami Trl	Sarasota	FL	34239-5103	2/14/2019	A
Frenzel,	Clayton	1000 North Davis Drive Suite B	Arlington	TX	76012	2/14/2019	A
Gardner,	Steven	2342A Bluestone Hills Drive	Harrisonburg	VA	22801	2/14/2019	A

Physician LAST NAME alpha order	Physician first name	Address	City	State	Zip code	Date Subpoena served	Service list for Motion to Compel to be filed 04-11-19
Gonzalez,	Pedro J.	31 Calle Jose De Diego	Ciales	PR	00638-3229	2/11/2019	A
Gonzalez,	Pedro J.	31 Calle Jose De Diego	Ciales	PR	00638-3229	2/11/2019	A
Graves ,	Brooks J.	35 Society Street #7	Charleston	SC	29401-1607	2/14/2019	A
Green,	Phillip E.	6005 Park Avenue, Ste 502	Memphis	TN	38119-5215	2/14/2019	A
Green-Mack,	Thelma L.	3850 Shore Drive Suite 105	Indianapolis	IN	46254-5621	2/14/2019	A
Hadi,	Mohammed	100 Jerusalem Avenue	Levittown,	NY	11756-3718	2/15/2019	A
Hahn,	Philip J.	5606 Summerhill Road	Texarkana	TX	75503	2/14/2019	A
Hale,	Gerald R.	2448 E 81st Street, Suite 363	Tulsa	OK	74137-4250	2/14/2019	A
Hall,	Mike S.	555 N Woodlawn Street, Ste 102	Wichita	KS	67208-3671	2/15/2019	A
Han,	Sung J.	100 Healthy Way, Suite 1260	Anderson	SC	29621-2067		A
Haney,	Bill W.	4201 Springhurst Blvd., Ste 102	Louisville	KY	40241	2/11/2019	A
Hart,	Deborah	10241 Champion Farms Drive	Louisville	KY	40241-6150	2/14/2019	A
Hathorn,	Alfred W.	2120 Bert Kouns Loop, Ste L	Shreveport	LA	71118-3355	2/14/2019	A
Hauser,	Donald E.	5959 West Loop S, Suite 600	Bellaire	TX	77401-2421	2/11/2019	A
Hauser,	Donald E.	5959 West Loop S, Suite 600	Bellaire	TX	77401-2421	2/11/2019	A
Heher,	Julie S.	130 Division Street	Derby	CT	06418-1326	2/14/2019	A
Hernandez,	Mark Antonio	2387 W 68th Street, Suite 303	Hialeah	FL	33016-6889	2/15/2019	A
Horne,	Gaylyn M.	7067 Veterans Parkway, Suite 210	Pell City	AL	35125	2/15/2019	A
Howe,	Charles	1210 Medical Arts Blvd., Suite 114	Anderson	IN	46011-3442	2/14/2019	A
Hummel,	Rick	11155 Dunn Road, Suite 201N	St. Louis	MO	63136	2/15/2019	A
Jackson,	Roosevelt T.	133 N State Road 7	Plantation	FL	33317	2/14/2019	A
Janas,	Anthony	485 Columbia Avenue E, Suite 11A	Battle Creek	MI	49014-5462	2/11/2019	C
Janas,	Anthony	485 Columbia Avenue E, Suite 11A	Battle Creek	MI	49014-5462	2/11/2019	C
Jawahir,	Mark E.	1759 1763 US Hwy 27 South	Sebring	FL	33870	2/14/2019	A
Jessup,	Michael J.	1810 E Plaza Way	Cape Girardeau	MO	63703-5842	2/14/2019	A
Jingo,	Ahmad K.	3424 Flat Shoals Road	Decatur	GA	30034-6525	2/14/2019	A
Jobalia,	Neil B.	3145 Hamilton Mason Road, Suite 201	Hamilton	OH	45011-8557	2/14/2019	A
Johnson,	John H.	300 E Walnut Avenue	Altoona	PA	16601-5210	2/14/2019	A
Jowers,	Allison D.	216 W Main Street	Steele	MO	63877-1436	2/15/2019	A
June,	Alan M.	4782 N First Ave., Ste 170 The Pain Institute C	Tucson	AZ	85718	2/14/2019	A
Kaplan,	Matthew A	170 Deepwood Drive, Suite 102	Round Rock	TX	78681-4944	2/14/2019	A
Keep,	Mark H.	11762 S State St 360	Draper	UT	84020-7155	2/14/2019	A
Latif,	Jawaid	2201 Lexington Ave Attn: Patty Daniels	Ashland	KY	41101-2843	2/14/2019	A
Ledoux,	Mark A	17051 Dallas Pkwy Ste 300	Addison,	TX	75001-7105	2/15/2019	A
Lemmons,	Barbara J.	120 Executive Park	Louisville	KY	40207-4201	2/14/2019	A
Lewis,	Jason C.	222 S 1st Street, Suite 300	Louisville	KY	40202-5404	2/14/2019	A
Lloyd,	Preston	2450 S Telshor Blvd	Las Cruces	NM	88011-5069	2/14/2019	A
Lockett,	Ricky P.	1501 5th Ave N	St. Petersburg	FL	33705-2008	2/14/2019	A
Locknikar,	Steven	11390 E Via Linda 103	Scottsdale	AZ	85259-4075	2/11/2019	C
Locknikar,	Steven	11390 E Via Linda 103	Scottsdale	AZ	85259-4075	2/11/2019	C

Physician LAST NAME alpha order	Physician first name	Address	City	State	Zip code	Date Subpoena served	Service list for Motion to Compel to be filed 04-11-19
Loerke,	Timothy J.	13151 Magisterial Drive, Ste 200	Louisville	KY	40223-4103	2/14/2019	A
Long,	Jeffery	42320 Highway 195	Haleyville	AL	35565	2/15/2019	A
Lopez,	Gabriel	3825 S Padre Island Drive	Corpus Christi	TX	78415-2913	2/15/2019	A
Loudermilk,	Eric P.	100 Health Way, Suite 1260 Piedmont Comprehensive Pain Mgmt Grp	Anderson	SC	29621		A
Luttrell,	Mark	865 Poplar Ave	Memphis	TN	38105-4608	2/15/2019	A
Madsen,	Terry D	3009 E Renner Rd Suite 100	Richardson	TX	75082-3571	2/14/2019	A
Magro,	Todd K.	2179 Ashley Phosphate Road, Ste B	North Charleston	SC	29406	2/14/2019	A
Malik,	Mansoor	2401 Georgia Avenue	Washington	DC	20060-0001	2/15/2019	A
Martin,	Thomas Wade	2010 Patton Chapel Road, Suite 200	Hoover	AL	35216-5782	2/14/2019	A
McEwen,	Luther M.	1515 Mockingbird Lane, Suite 540	Charlotte	NC	28209-3297	2/15/2019	A
McGinnis,	James M.	8046 Ohio River Road Suite A	Wheelersburg	OH	45694	2/15/2019	A
McWhirter,	Gail	463142 State Road 200	Yulee	FL	32097-5554	2/14/2019	A
Messenger,	Mark T.	1043 Washington Road	Thomson	GA	30824-7318	2/14/2019	A
Meyerowitz,	Arnold H.	6245 W Chandler Blvd., Suite E4	Chandler	AZ	85226-3443	2/15/2019	A
Mhatre,	Vijay R	6001 SW 6th Avenue, Ste 320	Topeka	KS	66615-1011	2/14/2019	A
Missouri,	Shairko	1020 Thompson Street	Jersey Shore	PA	17740-1729	2/15/2019	A
Mitchell,	Carl Issac	7201 Brookfield Road	Columbia	SC	29223-2215	2/14/2019	A
Morris,	Richard R.	320 Whittington Pkwy, Suite 301	Louisville	KY	40222-4928	2/15/2019	A
Murray,	Thomas R.	8563 Argyle Business Loop Ste 2	Jacksonville	FL	32244-6613	2/15/2019	A
Murray-Taylor,	Faith	700 S Penn Avenue	Bartlesville	OK	74003-3847	2/14/2019	A
Nadeem,	Shah	2201 Lexington Avenue	Ashland	KY	41101-2843	2/14/2019	A
Naficy,	K. Mitchell	27512 Calle Arroyo, Suite A	San Juan Capistrano	CA	92675-2753	2/11/2019	A
Naficy,	K. Mitchell	27512 Calle Arroyo, Suite A	San Juan Capistrano	CA	92675-2753	2/11/2019	A
Nardone,	Vincent	7101 Jahnke Road	Richmond	VA	23225-4017	2/15/2019	A
Narvaez,	Juan C.	601 E Rollins Street, Florida Hospital OB Spec	Orlando	FL	32803-1248	2/14/2019	A
Nassef,	Ashraf S.	4404 Glen Este Withamsville Road	Cincinnati	OH	45245-1306	2/14/2019	A
Nelson,	Brian S.	7977 Crampton Ln	Frisco,	TX	75035-3161	2/15/2019	A
Neubert,	Richard E	378 Marketplace Drive, Suite 5	Johnson City	TN	37604-2361	2/14/2019	A
Ochoa,	Ricardo A.	632 N Ed Carey Drive, Suite 200	Harlingen	TX	78550-7508	2/14/2019	A
Oge,	Brian T.	410 N Main Street, Ste 2	Nashville	AR	71852-2000	2/14/2019	A
Onishchuk,	Joseph	2010 Old W Chester Pike Suite 330	Havertown	PA	19032	2/15/2019	A
Pakdaman,	Mehrdad	2170 Linnington Avenue	Los Angeles	CA	90025	2/14/2019	A
Palosky, D.O.	Eric	4511 Sun N Lake Blvd., Suite 108	Sebring	FL	33872-2169	2/14/2019	A
Parker,	Larry K.	2315 E Mulberry Street	Angleton	TX	77515-3804	2/14/2019	A
Patel,	Nikhil K.	2160 S 1st Avenue, Building 105, Room 1900	Maywood	IL	60153-3328	2/15/2019	A
Patel,	Divya	230 N Winstead Avenue	Rocky Mount	NC	27804-2225	2/15/2019	A
Patsamatla,	Kishore	5205 Babcock St NE Suite 3	Palm Bay	FL	32905-4638	2/14/2019	A
Pauley,	Janice L.	1550 Yankee Park Pl	Dayton	OH	45458-1868	2/14/2019	A
Peters,	Lawrence H.	4402 Churchman Ave Suite 404	Louisville	KY	40215-1190	2/15/2019	A

Physician LAST NAME alpha order	Physician first name	Address	City	State	Zip code	Date Subpoena served	Service list for Motion to Compel to be filed 04-11-19
Pinyard,	Joseph V.	880 Boones Station Road	Johnson City	TN	37615	2/14/2019	A
Powell Jr.,	Otis S.	2391 Benjamin E Mays Dr SW, 2nd Floor, Suite	Atlanta	GA	30311-3233	2/14/2019	A
Powell,	Mary	519 Mt Pleasant Rd	Thomson	GA	30824	2/14/2019	A
Pyles,	Paul I.	5004 Highway 39 North	Meridian,	MS	39301	2/15/2019	A
Quinones,	Marlon P.	7526 Louis Pasteur Dr	San Antonio	TX	78229-4001	2/14/2019	A
Ramirez,	Edgar	15303 Amberly Dr Suite A	Tampa,	FL	33647-2308		A
Rasheed,	Atif	130 W Ravine Road	Kingsport	TN	37660-3837	2/14/2019	A
Reyes,	Rosenberg A.	320 West Woodlawn Avenue	Louisville	KY	40214	2/14/2019	A
Riggs,	Charrisa	2875 W Ray Rd Ste 6-239 Suite 8	Chandler,	AZ	85224-3524	2/15/2019	A
Robinson,	Deborah	7305 N Military Trail Primary Care (110)	Riviera Beach	FL	33410-7417	2/11/2019	A
Robinson,	Deborah	7305 N Military Trail Primary Care (110)	Riviera Beach	FL	33410-7417	2/11/2019	A
Rodriguez,	Barnie P	1600 Se Main St Ste E	Roswell	NM	88203-5423	2/15/2019	A
Rodriguez,	Dirk I	9080 Harry Hines Blvd 211	Dallas	TX	75235-1720	2/15/2019	A
Rothstein,	Rodney	7601 Southcrest Pkwy	Southaven	MS	38671-4739	2/14/2019	A
Rubenstein,	Robert	16 E 16th Street	New York	NY	10003-3105	2/15/2019	A
Rush,	Emily E.	20045 N. 19th Ave Bldg 10, Suite 3	Phoenix	AZ	85027	2/15/2019	A
Saadati,	Sonya S.	1019 W Oakland Avenue, Suite 1	Johnson City	TN	37604-2357	2/14/2019	A
Saidov,	Alik	400 W Arbrook Blvd., Ste 330	Arlington	TX	76014-3174	2/15/2019	A
Saleh,	Mervet K.	1235 E Alex Bell Road	Dayton	OH	45459-2658	2/14/2019	A
Sams,	Bradley C.	1001 N Halstead Road	Ocean Springs	MS	39564-3121	2/14/2019	A
Sanchez,	Mirel	11486 Quail Roost Drive	Miami	FL	33157-6575	2/14/2019	A
Schmidt,	Lisa M.	120 Executive Park	Louisville	KY	40207	2/14/2019	A
Schroth,	John A.	1 Hospital Drive	Tyrone	PA	16686-1810	2/14/2019	A
Seidel,	Donald	4136 N 75th Ave Ste 116	Phoenix	AZ	85033-3100	2/15/2019	A
Shimkus,	Brian J	11111 Research Blvd Ste. 450	Austin	TX	78759-5264	2/14/2019	A
Simo,	Dagobert	2041 Georgia Ave Nw	Washington	DC	20060-0001	2/14/2019	A
Singh,	Vinod	16725 Race Track Road	Odessa	FL	33556-3024	2/11/2019	A
Skeen,	Melanie L.	125 Horner Drive	Big Stone Gap	VA	24219-8107	2/14/2019	A
Slawson,	Lisa N	3603 Bienville Blvd	Ocean Springs	MS	39564-5702	2/15/2019	A
Smith,	Reginald M.	2345 Moody Parkway, Ste 204	Moody	AL	35004-3039	2/14/2019	A
Solomon,	Eric D.	1395 S Marietta Pkwy SE, Bldg 100, Ste 102	Marietta	GA	30067-4440	2/11/2019	A
Sorin,	Brian D	5425 W Spring Creek Pkwy, Suite 275	Plano	TX	75024-4236	2/15/2019	A
Speigner,	Darla	100 St Marys Epworth Xing Ste B100	Newburgh	IN	47630-9161	2/14/2019	A
Stanley,	William D.	23661 Pacific Coast Hwy # B	Malibu	CA	90265-4825	2/11/2019	A
Steen,	Vicki L.	77 Starbrush Circle	Covington	LA	70433	2/14/2019	A
Steve,	Mynatt R	2805 W Governor John Sevier Hwy	Knoxville	TN	37920-5552	2/14/2019	A
Stewart,	Laura A.	7145 E Virginia Street	Evansville,	IN	47715-9144	2/15/2019	A
Sudeen-Paschall,	Noami I	100 Covey Dr Suite 204	Franklin	TN	37067-5665	2/15/2019	A
Thoma,	Richard B.	2010 Patton Chapel Road, Suite 200	Birmingham	AL	35216-5782	2/14/2019	A
Thompson,	Seth C.	300 Valley Street NE	Abingdon	VA	24210	2/14/2019	A

Physician LAST NAME alpha order	Physician first name	Address	City	State	Zip code	Date Subpoena served	Service list for Motion to Compel to be filed 04-11-19
Tonini,	Mary	120 Executive Park	Louisville	KY	40207-4201	2/14/2019	A
Turner II,	Randall G.	17782 Cowan Suite A	Irvine	CA	92614-6030	2/14/2019	A
Turner,	Charles L.	1166 Country Club Ln Ste 11	Fort Worth	TX	76112-2388	2/15/2019	A
Valdez,	Michael	1760 Chicago Avenue, Suite J3	Riverside	CA	92507-2300	2/11/2019	C
Valdez,	Michael	1760 Chicago Avenue, Suite J3	Riverside	CA	92507-2300	2/11/2019	C
Valdez,	George A.	1760 Chicago Avenue, Suite J3	Riverside	CA	92507-2300	2/14/2019	A
Vance,	Jason R.	277 Cohasset Road	Chico	CA	95926	2/15/2019	A
Vendryes,	Christopher G.	9526 NE 2nd Avenue, Suite #101	Miami Shores	FL	33138-2750	2/15/2019	A
Vilensky,	Leonid	135 Sully Trail Suite:5	Pittsford	NY	14534	2/14/2019	A
Viswanath,	Sathyamurthy	1843 Quiet Cove	Fayetteville,	NC	28304-3857		A
Waldman,	Robert	4644 Lincoln Blvd., Suite 540	Marina Del Rey	CA	90292-6391	2/15/2019	A
Waldman,	Robert	4644 Lincoln Blvd., Suite 540	Marina Del Rey	CA	90292-6391	2/15/2019	A
Walker,	Natasha	4644 Villas Santorini Drive	Lake Worth	FL	33461-5098	2/14/2019	A
Walker,	Cynthia	206 Burwash Avenue	Savoy	IL	61874-9510	2/15/2019	A
Warner,	Randy T.	560 Thorton Road	Lithia Springs	GA	30122	2/15/2019	A
Wayment,	Matthew T.	4020 W Florida Avenue	Hemet	CA	92545-5279	2/14/2019	A
Weaver,	Michelle C.	219 E Central Street	Warren	AR	71671-3405	2/14/2019	A
Webb,	Susan E.	9330 Parkwest Blvd, Suite 409	Knoxville	TN	37923	2/14/2019	A
Wester,	Ashley	2946 Jefferson Street	Marianna	FL	32446-3140	2/14/2019	A
White,	Keith	300 Valley Street NE	Abingdon	VA	24210-2912	2/14/2019	A
White,	Jermaine	3702 E Lake Drive	Corpus Christi	TX	78414-2108	2/15/2019	A
Williams,	Barry	3000 Bethesda Pl., Suite 801 and 802	Winston-Salem	NC	27103-3331	2/14/2019	A
Williams,	Mheja M.	5604 Old Canton Road	Jackson	MS	39211-4217	2/14/2019	A
Williamson,	Merle	11167 SE Valley View Terrace	Happy Valley	OR	97086-9715	2/14/2019	A
Winters,	Nicolaus D.	7145 E Virginia Street	Evansville	IN	47715-9144	2/14/2019	A
Wisdom-Schapers	Jennifer	2 Professional Park Drive, Ste 15	Johnson City	TN	37604-6583	2/15/2019	A
Woo,	Juan A.	1500 Citywest Blvd Ste 300	Houston	TX	77042	2/15/2019	C
Young,	Stephen K.	7145 E Virginia Street	Evansville	IN	47715-9144	2/14/2019	A
Zhou,	Larry L.	1230 S Hurstbourne Pkwy., Unit 120	Louisville	KY	40222-5757	2/14/2019	A

EXHIBIT “B”



Gary M. Freedman
Partner
gfreedman@broadandcassel.com

ATTORNEYS AND COUNSELORS AT LAW

One Biscayne Tower
2 South Biscayne Blvd. | 21st Floor
Miami, FL 33131
T: 305.373.9400 F: 305.373.9443

nelsonmullins.com
* In Florida, known as Nelson Mullins Broad and Cassel

April 11, 2019

VIA U.S. MAIL

NAME
TITLE
COMPANY
ADDRESS 1
ADDRESS 2

Re: **NOTICE OF POTENTIAL LITIGATION; SUBPOENA REQUESTING DOCUMENTS; IDENTIFICATION, COLLECTION, AND PRESERVATION OF INFORMATION, DOCUMENTS, AND RECORDS**
In re Campbellton-Graceville Hospital Corporation, Case No. 17-40185
United States Bankruptcy Court, Northern District of Florida

Dear NAME:

We represent Marshall Glade, in his capacity as the Liquidating Trustee of the Liquidating Trust created on November 30, 2018 (the “**Effective Date**”), in accordance with (1) the Order of the Bankruptcy Court (ECF No.¹ 882) (the “**Confirmation Order**”) confirming the plan of liquidation, as amended (ECF Nos. 602 and 812) (the “**Plan**”), of the Chapter 11 Debtor Campbellton-Graceville Hospital Corporation (the “**Debtor**” or the “**Hospital**”), (2) the Notice of Effective Date (ECF No. 909) of the Plan, and (3) the Liquidating Trust Agreement (ECF No. 914).² On the Effective Date, the Liquidating Trust was created and the Liquidating Trustee accepted, on behalf of the Liquidating Trust, all Liquidating Trust Assets (including any and all actions and claims of the Debtor and of creditors who assigned their claims to the Debtor against third parties (the “**Causes of Action**”), and the Liquidating Trustee became authorized to prosecute, settle, or otherwise resolve the Causes of Action.

You are receiving this letter because the Liquidating Trustee has reason to believe that the Causes of Action may include certain claims against you arising out of a fraudulent laboratory billing scheme (the “**Laboratory Program**”) that was operated out of the Hospital. **You or an entity affiliated with you have been identified as having**

¹ ECF No. refers to the Electronic Case Filing Number in Case No. 17-40185 (the “**Bankruptcy Case**”).

² On May 7, 2017, the Hospital, a critical access hospital located in Graceville, Florida, filed a voluntary Chapter 11 bankruptcy petition, in the United States Bankruptcy Court for the Northern District of Florida (the “**Bankruptcy Court**”), commencing the Bankruptcy Case.

NAME

April 11, 2019 Page 2

referred patient specimens for laboratory testing to the Hospital either directly or through one or more outside laboratories. Our records reflect that more than \$_____ was billed by or for the Hospital using your National Provider Information (NPI) Number (_____) as the attending and ordering physician for laboratory testing.

The Laboratory Program involved improper and unlawful billing by the Hospital and certain laboratories affiliated with the Hospital to insurance payors for laboratory testing that was either not performed by the Hospital or did not involve a patient of the Hospital that would allow for a higher reimbursement rates. The Liquidating Trustee is legally entitled to pursue claims under federal and state law against those involved in the Laboratory Program and to pursue the avoidance and recovery of certain payments that were originally made by the Debtor in respect of the Laboratory Program.

To the extent that you received monies that originated from the claims billed to and paid by the insurance companies to the Hospital, then you may be liable to pay these amounts to the Liquidating Trustee. In addition, you may be liable for damages to the Hospital to the extent you were involved with the Laboratory Program. Under Section 541 of the Bankruptcy Code, any civil causes of action of the Debtor are property of the Debtor's bankruptcy estate and were transferred to the Liquidating Trust upon the Effective Date to be pursued by the Liquidating Trustee. These civil causes of action may include, without limitation, fraud, conspiracy, and aiding and abetting claims. In addition, Section 544, 548, and 550 of the Bankruptcy Code empower the Liquidating Trustee to avoid and recover certain fraudulent transfers made by the Debtor during the relevant lookback period prior to the Debtor's bankruptcy filing.

Based upon the foregoing, a subpoena, enclosed with this letter, has been duly issued to you by the attorneys for the Liquidating Trustee requiring that you provide documents requested in the subpoena to the Liquidating Trustee **within 30 days from the date of the subpoena** (the "**Deadline**"). Among other documents, the subpoena requests that you provide (a) a list and proof of receipt of all monies you or any of your affiliates received from the Hospital and certain laboratories and interested parties involved in the Laboratory Program (the "**Laboratories and Interested Parties**") between March 1, 2015 through December 31, 2016; (b) all documents that reflect what services you provided in exchange for these monies; (c) all documents supporting the tests that were ordered using your NPI Number and the medical necessity of those tests, including a list of all patients for whom you ordered tests, and for each such patient—all requisition forms, all laboratory results received, all phlebotomy and specimen collection logs, and all medical and billing records that support the medical necessity of the tests ordered (including all patient charts, physician progress notes, diagnoses, medications, medical histories and physicals, procedures records, laboratory results, radiology records, ultra-sound, MRI, nuclear medicine reports, consultation reports, health insurance information, clinical laboratory reports/results, descriptions of medical condition by name, diagnosis, and treatment, facility admission records and discharge summaries); (d) all documents concerning your contracts and relationship with the Hospital and the Laboratories and Interested Parties, including correspondence with all interested parties, (e) documents

NAME

April 11, 2019 Page 3

from any programs or databases used to submit claims for laboratory testing; and (f) copies of insurance policies that may provide coverage for a potential cause of action.

In the interest of providing the requested information and documents to the Liquidating Trustee as soon as possible, the Liquidating Trustee has obtained the enclosed qualified protective order under HIPAA, which permits you to immediately send the documents and information to the Liquidating Trustee and his professionals. In addition, you may send the documents and information responsive to the subpoena on a rolling basis as it becomes available. You may send this in electronic form, and we will set up a secured connection through which you may respond.

In addition, the Liquidating Trustee requests that you provide by the Deadline a written explanation (supported by the documents you are providing) of (a) your relationship with the Hospital and the Laboratories and Interested Parties (including how, when, and why you were connected with them), (b) your involvement with the Laboratory Program (including the extent of your involvement, why you decided to send specimens, when you started sending samples, and when you stopped sending them; as well as the names of the individuals with whom you had relationships and their contact information), and (d) to the extent you received any monies from the Hospital or from the Laboratories and Interested Parties, a list of the monies you received and what you gave in exchange for such monies.

The Liquidating Trustee seeks your cooperation in order to promptly evaluate the documents and the potential claims against you and other third parties. **Accordingly, if we do not receive a response from you with these requested documents and explanation by the requested date, then the Liquidating Trustee will assume that you do not wish to cooperate and may pursue all rights and remedies against you, including seeking to hold you in contempt for failing to comply with the subpoena, seeking sanctions against you, and commencing litigation against you.**

Following the Liquidating Trustee's receipt and review of your response to this letter and the requested documents, the Liquidating Trustee may seek to promptly and amicably resolve claims against you, to the extent of any that may exist, without the need for time consuming and expensive litigation.

By this letter, the Liquidating Trustee also gives notice to you and any affiliated entities not to destroy, conceal, or alter any paper or electronic files, other data generated by and/or stored on their computer systems and storage media (including any and all hard or soft drives or disks, or back-up drives or disks) and online (including on the cloud), or any other electronic data, such as email and voicemail, with respect to any and all dealings with the Hospital, the Laboratories and Interested Parties, the Laboratory Program and otherwise with respect to the Liquidating Trustee's investigation. This includes, but is not limited to: all documents; all written, email, and other electronic communications; all documents contained in any database or software (electronic and physical); spreadsheets; calendars; voice mail and telephone logs; contact manager

NAME

April 11, 2019 Page 4

information; internet usage files; offline storage or information stored on removable media; information contained on laptops or other portable devices (including text messages); and network access information.

The Liquidating Trustee expressly reserves all rights and remedies with respect to the Causes of Action and all matters set forth in this letter, including its rights to pursue any claims against you.

If you have any questions, please give me a call.

Sincerely,

NELSON MULLINS BROAD AND CASSEL

Gary M. Freedman
Partner

Enclosure

cc:
Marshall Glade
Frank Terzo
Brian Rich

EXHIBIT “C”

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION
www.flnb.uscourts.gov

IN RE:

Case No. 17-40185-KKS

CAMPBELLTON-GRACEVILLE HOSPITAL
CORPORATION,

Chapter 11

Debtor.

SUBPOENA FOR RULE 2004 EXAMINATION *DUCES TECUM*
(Documents May Be Produced In Lieu of Appearance)

TO:

[] *Testimony:* **YOU ARE COMMANDED** to appear at the time, date and place set forth below to testify at an examination under Rule 2004, Federal Rules of Bankruptcy Procedure.

PLACE

Nelson Mullins Broad and Cassel, LLP
One Financial Plaza
100 SE 3rd Avenue, Suite 2700
Ft. Lauderdale, FL 33394
954-764-7060
Attention Pam Wilson

DATE AND TIME

Wednesday March 13, 2019 at 10:00 a.m.

The examination will be recorded by this method: Not applicable

[XXX] *Production:* You, or your representatives, must produce the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material by **Wednesday, March 13, 2019 at 10:00 a.m.**

SEE ATTACHED SCHEDULE "A"

The following provisions of Fed. R. Civ. P. 45, made applicable in bankruptcy cases by Fed. R. Bankr. P. 9016, are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person

subject to a subpoena; and Rule 45(e) and 45(g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: February 11, 2019

Clerk of Court

OR

Frank Terzo, Esquire
FBN: 906263

Signature of Clerk or Deputy Clerk

Attorney's Signature

The name, address, email address, and telephone number of the attorney representing the The Official Unsecured Creditor, Committee, who issues or requests this subpoena, are: Frank Terzo., Broad and Cassel, 100 S.E. 3rd Avenue, Suite 2700, Ft. Lauderdale, Florida, (954) 764-7060, fterzo@broadandcassel.com

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things, or the inspection of premises before trial, a notice and a copy of this subpoena must be served on each party before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

☐ I served the Subpoena via U.S. mail on February _____, 2019

☐ I returned the Subpoena unexecuted because:

Unless the Subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of \$ _____ .

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____

I declare under penalty of perjury that this information is true and correct.

Date: February 11, 2019

Server's signature

Frank Terzo, Esquire
Nelson Mullins Broad and Cassel
One Financial Plaza, Suite 2700
Fort Lauderdale, FL 33394
954-764-7060

Additional information concerning attempted service, etc.:

Federal Rule of Civil Procedure 45(c), (d), (e), and (g) (Effective 12/1/13)
(made applicable in bankruptcy cases by Rule 9016, Federal Rules of Bankruptcy Procedure)

(c) Place of compliance.

(1) *For a Trial, Hearing, or Deposition.* A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or

(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

(ii) is commanded to attend a trial and would not incur substantial expense.

(2) *For Other Discovery.* A subpoena may command:

(A) production of documents, or electronically stored information, or things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and

(B) inspection of premises, at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

...

(g) **Contempt.** The court for the district where compliance is required — and also, after a motion is transferred, the issuing court — may hold

in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

SCHEDULE “A”

DEFINITIONS AND INSTRUCTIONS

As used in this request, the following words shall have their common meanings and shall include the meanings indicated:

A. **“Affiliate”** includes (a) any entity whose outstanding interests are directly or indirectly owned, controlled, or held by you or by an entity that directly or indirectly owns, controls, or holds the interests of you, (b) any entity that directly or indirectly owns, controls, or holds the interests of you, (c) any entity whose business or substantially all of whose property is operated under a lease or operating agreement by you that operates the business or substantially all of the property of you under a lease or operating agreement, (d) any entity that directly or indirectly controls, is controlled by, or is under common control with another entity, (e) any entity that either directs or causes the direction of management or policies of you, indirectly or directly, (f) any entity that you direct or cause the direction of management or policies, indirectly or directly, (g) an entity related to you by a familial relationship, (h) parents, or (i) subsidiaries

B. **“Entity”** includes an individual, corporation (including a limited liability corporation), partnership (including a general partnership, limited liability partnership, and a limited partnership), estate, or trust.

C. **“Request”** or **“Requests”** means the Document Requests listed below.

D. **“Liquidating Trustee”** shall mean Marshall Glade, Liquidating Trustee for the Chapter 11 bankruptcy case of the Debtor, Campbellton-Graceville Hospital Corporation.

E. **“You”** and **“Your”** means the individual(s) or entity (entities) to whom this subpoena is directed, individually and collectively, and any of your affiliates, and includes any and all agents, employees, attorneys, and any other person or entity acting or purporting to act on behalf of you or your affiliates.

F. **“Debtor”** means Campbellton-Graceville Hospital Corporation, the Debtor in the above-referenced chapter 11 bankruptcy case and shall include shall include its owners, officers, directors, shareholders, managers, members, employees, agents, representatives, attorneys, accountants, affiliates, subsidiaries, predecessors, successors and/or assigns, and their owners, officers, directors, shareholders, managers, members, employees, agents, representatives, attorneys, accountants, affiliates, subsidiaries, predecessors, successors and/or assigns. Further, the Debtor shall include and incorporate the following National Provider Identifier’s (“NPI”):

1205886280; 1154373744; 1942348040; 1942417316; 1407169733; and 1306143839.

G. “**Laboratories**” means each and every of the following entities, and all of their owners, officers, directors, shareholders, managers, members, employees, agents, promoters, marketers, representatives, attorneys, accountants, affiliates, subsidiaries, predecessors, successors and/or assigns, and their owners, officers, directors, shareholders, managers, members, employees, agents, representatives, attorneys, accountants, affiliates, subsidiaries, predecessors, successors and/or assigns:

1. Advanced Clinical Laboratory Solutions, Inc.;
2. Aspen Hill Diagnostics, LLC;
3. Assurance Scientific Laboratories, LLC;
4. Auspicious Laboratory, Inc.;
5. Avutox Laboratories, LLC;
6. Axis Diagnostics, Inc.;
7. Beyond Labs, LLC;
8. Bio Technologies MD, Inc.;
9. B3 Diagnostics Lab, LLC;
10. Cadira Labs, LLC;
11. Central Clinical Labs;
12. Certus Laboratories;
13. Companion DX Reference Lab, LLC;
14. Diagnostic Lab Direct, LLC;
15. Eclipse Toxicology, LTD;
16. Elite Diagnostics, LLC;
17. Endeavor Recovery;
18. Expertus Laboratory, Inc.;
19. First Choice Laboratory, LLC;
20. Hill Country Toxicology, LTD;
21. Imperium Health Resources, LLC;
22. LabPro, Inc.;
23. LifeBrite Laboratories, Inc.;
24. Lighthouse Medical, LLC;

25. Mission Toxicology, LLC;
26. Nationwide Laboratory Services, LLC;
27. Northlake Family Medical Practice;
28. ON3 Healthcare A.D., LLC;
29. Our Family Genes, LLC;
30. Physician Stat Lab, Inc.;
31. Pinnacle Laboratory Services;
32. Premier Medical, Inc.;
33. Principal Labs, LLC;
34. Qualitox Laboratories, LLC;
35. RAJ Enterprises of Central Florida LLC d/b/a Pinnacle Laboratory Services, LLC;
36. Reasonable Choices, Inc.;
37. Reliance Laboratory Testing, Inc.;
38. SeroDynamics, LLC;
39. Selecta Labs;
40. Southwest Laboratories, LLC;
41. Strategic Ancillary Services, LLC;
42. Sun Clinical Laboratory
43. Total Diagnostix II; and
44. Any other laboratories involved with or concerning the Debtor.

H. **“Interested Parties”** means each and every of the following entities, and all of their owners, officers, directors, shareholders, managers, members, employees, agents, promoters, marketers, representatives, attorneys, accountants, affiliates, subsidiaries, predecessors, successors and/or assigns, and their owners, officers, directors, shareholders, managers, members, employees, agents, representatives, attorneys, accountants, affiliates, subsidiaries, predecessors, successors and/or assigns:

1. The Debtor;
2. The Laboratories;
3. MedX Group, Corp. a/k/a Medex Group;
4. Empower Systems a/k/a Empower;

5. Empower H.I.S., LLC a/k/a EmpowerHIS;
6. The People's Choice Hospital, LLC a/k/a People's Choice Hospital, PCH Billing Services, LLC, and PCH Lab Services, LLC;
7. CGH Holdings Company, Inc. n/k/a Cambridge Group Holdings Co. a/k/a CGH Holdings;
8. RAJ Enterprises of Central Florida, LLC, d/b/a Pinnacle Laboratory Services a/k/a Pinnacle;
9. Triumvir Medical Management, LLC a/k/a Triumvir;
10. Regional General Holdings, Inc., n/k/a Cambridge Distillery Co. a/k/a RGH;
11. Regional Health Partners, LLC;
12. Christian Fletcher;
13. Christopher Alise;
14. Tony Shir;
15. Jose Prendes;
16. Bruce Mogel;
17. Morrie Maple;
18. Raj Ravi; and
19. Beau Gertz

I. **"Communications"** shall include any correspondence, oral or written statement, dialogue, colloquy, discussion or conversation and, also, means any transfer of thoughts or ideas between persons by means of documents and includes any transfer of data from one location to another by electronic or similar means.

J. **"Documents"** shall mean the original or copies of any tangible written, typed, printed or other form of recorded or graphic matter of every kind or description, however produced or reproduced, whether mechanically or electronically recorded or stored, draft, final original, reproduction, signed or unsigned, regardless of whether approved, signed, sent, received, redrafted, or executed, and whether handwritten, typed, printed, photostated, duplicated, carbon or otherwise copied or produced in any other manner whatsoever. Without limiting the generality of the foregoing, "Documents" shall include correspondence (including e-mail, electronic message, letters, telegrams, telexes, and mailgrams), communications,

memoranda (including inter-office and intra-office memoranda, memoranda for files, memoranda of telephone or other conversations, including meetings, invoices, reports, receipts and statements of account, ledgers, notes or notations), notes or memorandum attached to or to be read with any Document, booklets, books, drawings, graphs, charts, photographs, phone records, electronic tapes, discs or other recordings, computer programs, printouts, data cards, studies, analysis and other data compilations from which information can be obtained. Copies of Documents, which are not identical duplications of the originals or that contain additions to or deletions from the originals or copies of the originals if the originals are not available, shall be considered to be separate documents.

K. **“Documents”** shall also include all electronically stored information (hereinafter “ESI”) including but not limited to computer generated information or data of any kind, stored in or on any storage media located on computers, file servers, disks, tape or other real or virtualized devices or media, including Digital Communications (e.g., e-mail, voice mail, instant messaging, chats, tweets, blog posts, social media posts, comments, etc.), E-Mail Server Stores (e.g., Lotus Domino .NSF or Microsoft Exchange .EDB), Word Processed Documents (e.g., Word or WordPerfect files and drafts), Spreadsheets and tables (e.g., Excel or Lotus 123 worksheets), Accounting Application Data (e.g., QuickBooks, Money, Peachtree data), Image and Facsimile Files (e.g., .PDF, .TIFF, .JPG, .GIF images), Sound Recordings (e.g., .WAV and .MP3 files), Video and Animation (e.g., .AVI and .MOV files), Databases (e.g., Access, Oracle, SQL Server data, SAP, other), Contact and Relationship Management Data (e.g., Outlook, ACT!), Calendar and Diary Application Data (e.g., Outlook PST, blog entries), Online Access Data (e.g., Temporary Internet Files, History, Cookies), Presentations (e.g., PowerPoint, Corel Presentations), Network Access and Server Activity Logs, Project Management Application Data, Computer Aided Design/Drawing Files; and Backup and Archival Files (e.g., Veritas, Zip, .GHO). Your search for ESI shall include all of computer hard drives, floppy discs, compact discs, backup and archival tapes, removable media such as zip drives, password protected and encrypted files, databases, electronic calendars, personal digital assistants, mobile devices, smart phones, tablets, proprietary software and inactive or unused computer disc storage areas. The meaning of “Documents” shall be construed as broadly as permitted by the Federal Rules of Civil Procedure, but is not intended and shall not be interpreted to expand upon or enlarge the responding party’s obligations beyond that required by the Federal Rules of Civil Procedure.

L. “**Concerning**” shall mean, directly or indirectly, concerning, regarding, relating to, referring to, reflecting, mentioning, describing, pertaining to, and/or arising out of or in connection with or in any way legally, logically, or factually being connected with the matter discussed.

M. As used herein, the conjunctions “and” and “or” shall be interpreted in each instance as meaning “and/or” so as to encompass the broader of the two possible constructions, and shall not be interpreted disjunctively so as to exclude any information or documents otherwise within the scope of any Request.

N. When appropriate, the singular form of a word should be interpreted in the plural as may be necessary to bring within the scope hereof any documents which might otherwise be construed to be outside the scope hereof.

O. Any pronouns used herein shall include and be read and applied as to encompass the alternative forms of the pronoun, whether masculine, feminine, neuter, singular or plural, and shall not be interpreted so as to exclude any information or documents otherwise within the scope of the Request.

P. If You assert that any document called for by a request is protected against disclosure on the grounds of the attorney work product doctrine or by the attorney-client privilege, or any other assertion of privilege, You must provide the following information with respect to such document:

1. the name and capacity of the person or persons who prepared the documents;
 2. the name and capacity of all addresses or recipients of the original or copies thereof;
 3. the date, if any, borne by the document;
 4. a brief description of its subject matter and physical size;
 5. the source of the factual information from which such document was prepared;
- and
6. the nature of the privilege claimed.

Q. You must produce all documents within your possession, care, custody or control that are responsive to any of these requests. A document is deemed within your care, custody or control if you have the right or ability to secure the document or a copy thereof from

any other person having physical possession thereof.

R. All documents produced pursuant hereto are to be produced as they are kept in the usual course of business and shall be organized and labeled (without permanently marking the item produced) so as to correspond with the categories of each numbered request hereof.

S. Production of electronically stored information (“ESI”) or any electronically stored data shall be in native format or another electronic format that does not diminish the accessibility or searchability of the information.

T. Each hard copy document is to be produced, with all non-identical copies and drafts thereof, in its entirety, without alteration, abbreviation or reduction and shall be produced either in the manner they are kept in the usual course of business or organized to correspond with the Request to which they are responsive. If any document is produced in redacted form, state with particularity the reason(s) it was not produced in full and describe generally those portions of the Document that are not being produced

U. All documents that respond, in whole or in part, to any part or clause of any paragraph of these requests shall be produced in their entirety, including all attachments and enclosures. Only one copy need be produced of documents that are responsive to more than one paragraph or are identical except for the person to whom it is addressed if you indicate the entities to whom such documents were distributed. Documents that in their original condition were stapled, clipped, or otherwise fastened together shall be produced in such form. Please place the documents called for by each paragraph in a separate file folder or other enclosure marked with respondents’ name and the paragraph to which such documents respond, and if any document is responsive to more than one request, indicate each request to which it responds.

V. If you at any time had possession, custody or control of a document called for under these requests and if such document has been lost, destroyed, purged, or is not presently in Your possession, custody or control, You shall describe the document, the date of its loss, destruction, purge, or separation from possession, custody or control and the circumstances surrounding its loss, destruction, purge, or separation from possession, custody or control.

W. The time period for the request is from **March 1, 2015 through December 31, 2016.**

DOCUMENTS REQUESTED

1. All documents that reflect or concern the monies that you were paid from the Debtor, a Laboratory, any other Interested Party, or any individuals or entities acting as marketers or promoters of the Debtor, a Laboratory, or any other Interested Party, including, but not limited to, all bank account records, checks, proof of receipt (e.g., cancelled checks, wire receipts, and cash receipts), and a list of such payments (by date, amount, payor, and manner of payment (e.g., check no., wire no., cash amount)).

2. All documents that reflect or concern what services you provided in exchange for the monies you were paid from the Debtor, a Laboratory, any other Interested Party, or any individuals or entities acting as marketers or promoters of the Debtor, a Laboratory, or any other Interested Party.

3. All documents concerning, reflecting, or supporting the tests that were ordered using your NPI Number(s) and the medical necessity of those tests, including:

- a. a list of all patients for whom you ordered tests and the tests ordered;
- b. and for each such patient:
 - i. all laboratory requisitions/order forms (and in the absence of such, signed documentation from you demonstrating the intent for the test), and if not you, the contact information for the ordering physician(s);
 - ii. all laboratory test results, reports, and interpretations;
 - iii. all phlebotomy and specimen collection logs;
 - iv. medical and billing records that support the medical necessity of the tests ordered, including, but not limited to, all patient charts, physician progress notes, diagnoses, medications, medical histories and physicals, procedures records, laboratory results, radiology records, ultra-sound, MRI, nuclear medicine reports, consultation reports, health insurance information, clinical laboratory reports/results, descriptions of medical condition by name, diagnosis, and treatment, facility admission records and discharge summaries; and
 - v. any other documents that support the medical necessity of the ordered tests.

4. All documents, including all files and communications, which concern, refer to, describe, summarize, constitute, evidence, establish, explain, or mention, in whole or in part, any agreement, contract, or relationship of any kind between you and the Debtor, a Laboratory, and/or any other Interested Party as well as with any individuals or entities acting as marketers or promoters of the Debtor, a Laboratory, or any other Interested Party.

5. Any and all organizational documents for you, including each of your affiliates, and an organizational chart reflecting the relationships between you and your affiliates.

6. All documents and information from any programs or databases used to submit claims for laboratory testing performed for your patients, including data from any and all claims modules, billing/finance modules, patient information modules, or remittance advice modules, and including individual modules that may exist under EmpowerHIS, and/or the EmpowerSystems database.

7. Copies of all insurance policies that may provide coverage for you and your affiliates for a potential cause of action by the Liquidating Trustee against you or your affiliates arising out of the Debtor's clinical laboratory program.